

MCDERMOTT WILL & EMERY LLP

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*Attorneys for Defendants Sage Associates;
Malcolm H. Sage, in his Capacity as Partner or
Joint Venturer of Sage Associates, Individually as
Beneficiary of Sage Associates, and Personal
Representative of the Estate of Lillian M. Sage;
Martin A. Sage, in his Capacity as Partner or Joint
Venturer of Sage Associates and Individually as
Beneficiary of Sage Associates; and Ann M.
Passer, in her Capacity as Partner or Joint
Venturer of Sage Associates and Individually as
Beneficiary of Sage Associates*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, TRUSTEE FOR THE
LIQUIDATION OF BERNARD L. MADOFF
INVESTMENT SECURITIES LLC,

Plaintiff.

)
) Adv. Pro. No. 08-1789 (SMB)
)
)

) SIPA LIQUIDATION
)
)

) Substantively Consolidated
)
)

) Adv. Pro. No. 10-4362 (SMB)
)
)
)
)
)
)

v.)
)
SAGE ASSOCIATES; LILLIAN M. SAGE,)
in her Capacity as Partner or Joint Venturer of)
Sage Associates and Individually as)
Beneficiary of Sage Associates; MALCOLM)
H. SAGE, in his Capacity as Partner or Joint)
Venturer of Sage Associates and Individually)
as Beneficiary of Sage Associates; MARTIN)
A. SAGE, in his Capacity as Partner or Joint)
Venturer of Sage Associates and Individually)
as Beneficiary of Sage Associates; ANN M.)
SAGE PASSER, in her Capacity as Partner or)
Joint Venturer of Sage Associates and)
Individually as Beneficiary of Sage)
Associates,)
)
Defendants.)
_____)

NOTICE OF REQUEST TO DEPOSE BERNARD L. MADOFF

PLEASE TAKE NOTICE, that pursuant to the *Order Authorizing the Deposition of Bernard L. Madoff* [Docket No. 14213] (the “Order”), Sage Associates, Malcolm H. Sage, Martin A. Sage, Ann M. Sage Passer, and Malcolm H. Sage, in his capacity as Personal Representative of the Estate of Lillian M. Sage, as defendants (the “Defendants”) in adversary proceeding number 10-4362 (SMB) (the “Adversary Proceeding”), seek permission to depose Bernard L. Madoff (“Madoff”) on “Day 2” of the deposition as defined in the Order;

PLEASE TAKE FURTHER NOTICE, that the specific areas of inquiry for the deposition taken by the Defendants will be as follows:

1. The extent to which Madoff or Bernard L. Madoff Investment Securities LLC (“BLMIS”) bought, sold, and held actual securities on behalf of Madoff’s clients, including the Defendants;

2. Areas of inquiry specific to the Defendants’ accounts held with Madoff and BLMIS, including, without limitation, the history of those accounts and the extent to which

Madoff and BLMIS were directed to and did buy, sell, and hold actual securities on behalf of the Defendants, including through the use of margin.

3. Day Two Deposition Topics listed by any other counsel for Participating Customers as defined in the Order.

Dated: May 31, 2017
New York, New York

McDermott Will & Emery LLP

/s/Andrew B. Kratenstein
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